

BRUCE A. BLAKEMAN
County Executive



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County Attorney

**COUNTY OF NASSAU
OFFICE OF THE COUNTY ATTORNEY**

January 30, 2023

Via ECF

Hon. Joan M. Azrack
United States District Court
100 Federal Plaza
Central Islip, New York 11722

Re: Kutner v. County of Nassau, et al.
22-CV-07530 (JMA)

Dear Judge Azrack:

This office represents defendants, Nassau County, Nassau County Executive Bruce A. Blakeman and Nassau County Police Commissioner Patrick J. Ryder in the above-referenced action. The purpose of this letter is to respond to plaintiff Harry Kutner's January 27, 2023 letter to the Court [DE 13] which contains gross misstatements. Plaintiff writes that when the parties were before the Court on January 19, 2023, I stated that the County would immediately issue a full pistol license carry permit to him. As Your Honor is well aware, I never made any such statement or representation. Rather, what I stated to the Court, and repeated to plaintiff when he telephoned me on January 20, 2023 is that, notwithstanding the fact that plaintiff was recently denied a "business carry" license, plaintiff is *free to apply* for a full carry permit, not that the Police Department would automatically grant his application. On page "2" of his letter plaintiff again falsely states that "in Your Honor's presence it was agreed that they [the County] would issue the Full Carry immediately[.]" I never stated anything to that effect, nor could I, since only the Police Department has the authority to issue pistol licenses under New York Penal Law sec. 400.00.

In short, plaintiff remains free to file an application with the Police Department for a full carry permit, but his mere filing of an application does not guaranty that he will be issued such license. He must comply with the entire application process, which includes a drug test, plus the submission of letters of recommendation, among other things.

As always, defendants thank Your Honor for your attention and consideration in this matter.

Respectfully submitted,

/s/ Ralph J. Reissman
RALPH J. REISSMAN

cc: Harry H. Kutner, Jr., Plaintiff *pro se* (Via ECF)

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